

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

BETTY ROGERS, MICHELLE CARNEY,
and KEVIN ROGERS, Sole Surviving Heirs
of Johnny Dwayne Rogers, Deceased

PLAINTIFFS

v.

CIVIL ACTION NO. 1:15-cv-00081-GHD-SAA

METROPOLITAN LIFE INSURANCE
COMPANY; QG PRINTING II CORP.;
QG PRINTING III CORP.; QG, LLC;
QUAD/GRAPHIC PRINTING CORP.;
GRUNER + JAHR PRINTING AND PUBLISHING
CO.; NOVINK (USA) CORP.; NOVINK PRINTING
(USA) II CORP.; WORLD COLOR (USA) CORP.;
WORLD COLOR PRINTING (USA) II CORP.; and
RINGIER AMERICA, INC.

DEFENDANTS

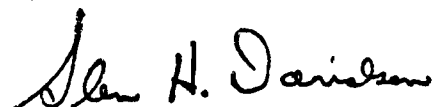
ORDER GRANTING
DEFENDANTS' MOTION FOR JUDGMENT ON THE ADMINISTRATIVE RECORD OR,
ALTERNATIVELY, MOTION FOR SUMMARY JUDGMENT

Pursuant to an opinion issued this day, because Plaintiffs' state law claims are preempted under ERISA, Plaintiffs filed this suit outside the applicable statute of limitations, and Plaintiffs failed to exhaust their administrative remedies prior to filing suit, the Court ORDERS the following:

- (1) Defendants' motion for judgment on the administrative record or, alternatively, motion for summary judgment [17] is GRANTED, because no genuine issues of material fact remain on Plaintiffs' claims, and Defendants are entitled to judgment as a matter of law on all claims; and
- (2) This case is CLOSED.

All memoranda, depositions, declarations, and other materials considered by the Court in ruling on this motion are hereby incorporated into and made a part of the record in this action.

SO ORDERED, this, the 10 day of November, 2015.

A handwritten signature in black ink, appearing to read "John H. Davidson". The signature is written in a cursive, flowing style with a prominent initial "J".

SENIOR UNITED STATES DISTRICT JUDGE